

# UNITED STATES DISTRICT COURT

for the  
District of Massachusetts

In the Matter of the Search of  
(Briefly describe the property to be searched  
or identify the person by name and address)

Express Mail Parcel EK 076133727 US, addressed to  
Evangelia Gonzalez, 9 Northeast ST APT 4D, Holyoke  
MA 01040

Case No. 14-MJ- 3012-KPN

## APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

Express Mail Parcel EK 076133727 US, addressed to Evangelia Gonzalez, 9 Northeast ST APT 4D, Holyoke MA 01040 (the "Subject Parcel"), which is more particularly described in Attachment A attached hereto.

located in the \_\_\_\_\_ District of \_\_\_\_\_ Massachusetts \_\_\_\_\_, there is now concealed (identify the person or describe the property to be seized):

See attachment B attached hereto.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

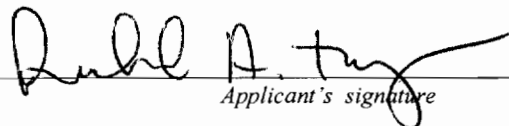
- ☒ evidence of a crime;
- ☒ contraband, fruits of crime, or other items illegally possessed;
- ☒ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

<i>Code Section</i>	<i>Offense Description</i>
Title 21, United States Code, Sections 841 (a) (1) and 846.	Possession with intent to distribute controlled substance and conspiracy to possess with intent to distribute controlled substance.

The application is based on these facts:  
See attached affidavit of U.S. Postal Inspector Richard A. Tracy, which is incorporated by reference.

- ☒ Continued on the attached sheet.
- ☐ Delayed notice of \_\_\_\_\_ days (give exact ending date if more than 30 days: \_\_\_\_\_) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

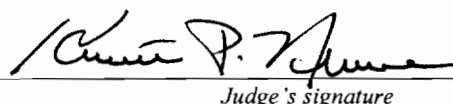
  
Applicant's signature

Richard A. Tracy, Postal Inspector, USPIS  
Printed name and title

Sworn to before me and signed in my presence.

Date: January 30, 2014

City and state: Springfield, Massachusetts

  
Judge's signature

Kenneth P. Neiman, USMJ  
Printed name and title

AFFIDAVIT

I, Richard A. Tracy, being duly sworn state as follows;

1. I am a United States Postal Inspector and have been so employed for 12 years. I am assigned to the Springfield, MA office of the United States Postal Inspection Service (the "USPIS"). As a Postal Inspector, I am responsible for investigations involving theft of United States mail, obstruction of the United States mail, mail fraud, and other criminal activities involving the use of the mail, including the investigation of items not allowed to be mailed, such as controlled substances, which are given over to the United States Postal Service for delivery.
2. I am making this affidavit in support of an application for a search warrant to seize, open, and search Express Mail Parcel EK 076133727 US, addressed to Evangelia Gonzalez, 9 Northeast ST APT 4D, Holyoke, MA 01040, and bearing a return address of Julia Gonzalez, HCOI BOX 1530, Salinas P.R. 00751 (the "Subject Parcel"), which is more particularly described in Attachment A, and to seize the items described in Attachment B, which I submit constitute evidence of a crime; contraband, fruits of crime, or other items illegally possessed; and property designed for use, intended for use, or used in committing a crime, namely violation of Title 21, United States Code, Sections 841 (a) (1) and 846.
3. A copy of the mail label for the Subject Parcel is attached to this affidavit as **Exhibit A**. The Subject Parcel has a postage meter applied to the parcel in the amount of postage totaling \$ **86.70** that was issued out of the Salinas P.R. Post Office on January 28, 2014. A copy of the postage meter is attached to this affidavit as **Exhibit B**. The parcel measures approximately 12 inches by 10 inches, is approximately 8 inches in thickness, and weighs approximately **10 LBS 6** ounces. A copy of a picture of the express mail parcel is attached to this affidavit as **Exhibit C**.

Probable Cause

4. On January 29, 2014 Postal Inspectors in Springfield MA were alerted to the Subject Parcel while screening express mail packages destined for Holyoke, MA. Postal Inspectors have observed a pattern of mailings from Puerto Rico to Evangelia Gonzalez, 9 Northeast ST APT 4D, Holyoke, MA 01040. The packages destined for Gonzalez are the same size and weight, and from different senders who were not able to be associated with the return address. Postal records and documents show that on dates that Gonzalez has received a package from Puerto Rico, another package is mailed minutes apart from the same post office, destined for Holyoke. The handwriting shows that the labels from the separate packages were filled out by the same individual. The package originated in Salinas, Puerto Rico. Through previous investigations conducted by Postal Inspectors, including my own, Puerto Rico is known as a source area of Cocaine commonly sent via the US Mails for distribution.
5. On January 29, 2014 Postal Inspectors utilized investigative databases in an attempt to identify the intended recipient and sender of the subject parcel. Evangelia Gonzalez was not found to be associated with the address listed, 9 Northeast ST APT 4D, Holyoke, MA 01040. The sender, Julia Gonzalez, HCOI BOX 1530, Salinas P.R. 00751 was not able to be associated with the address listed on the package. False names are commonly used in the shipment of illegal substances to avoid contact by law enforcement.
6. On January 29, 2014 Postal Inspectors met Trooper Michael Baxter at the Springfield Post Office and an examination was conducted of five parcel packages, which did not include the parcel addressed to Gonzalez or include any live mail packages. The five packages were placed by me for Trooper Baxter and Kdos to examine. (Live mail packages are pieces of US Mail in the mail stream, with unknown contents) The examination was conducted in a secured hallway.

After Kdos was allowed to examine the five parcel packages without alerting to any of the test parcels, Tpr Baxter and Kdos left the examination area and one of the five parcels was replaced by Postal Inspectors with the parcel addressed to Gonzalez. Kdos was brought back into the examination area for the second examination. Kdos was allowed to examine the five parcel packages off lead. Kdos moved rapidly up and down the hallway. As he came upon the subject parcel he stopped and then began to paw and scratch at the parcel addressed to Gonzalez. Kdos has been trained to give an aggressive alert when he is in the presence of narcotic odor.

Inspectors have worked with Trooper Baxter and his dog Kdos on previous investigations that were successful in the identification of drug contraband being sent through the U.S. Mail. Trooper Baxter and his K-9 dog Kdos are certified by

the New England State Police Administration Conference (NESPAC) standards. Kdos has performed more than 400 successful training tests prior to receiving certification. Kdos has been working with Trooper Baxter for approximately six years. Kdos is certified for identification of marijuana, cocaine, heroin, methamphetamine, and their derivatives. Trooper Baxter also performs ongoing monthly training in the detection of narcotics with his K-9 dog Kdos as required for maintaining their certification

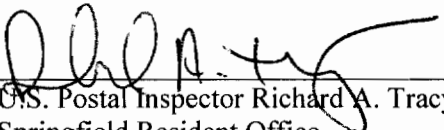
7. Based on the above, I believe there is probable cause to believe that the Subject Parcel described above contains evidence, fruits or instrumentalities of the offense of distribution of a controlled substance in violation of Title 21, United States Code, Section 841 (a) (1) (distribution and possession with intent to distribute a controlled substance) and 846 (attempt and conspiracy to commit a controlled substance violation).

#### Conclusion

8. In consideration of the foregoing, I respectfully request that this court issue a warrant authorizing any United States Postal Inspector, with appropriate assistance from other law enforcement authorities, to seize, open, and search the Subject Parcel and to seize the items described in Attachment B.

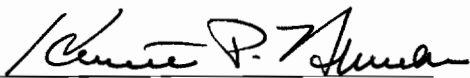
9. I also respectfully request that the Court impound the search warrant, the application of the search warrant, and the affidavit submitted in support of the search warrant until further notice of the court, pursuant to Local Rule 7.2, on the grounds that the investigation of this matter is ongoing and that disclosure of the information contained in those documents could compromise the ongoing investigation.

I declare that the foregoing is true and correct.



U.S. Postal Inspector Richard A. Tracy  
Springfield Resident Office  
U.S. Postal Inspection Service

Subscribed and sworn to  
before me this 30 day of January, 2014.



HONORABLE KENNETH P. NEIMAN  
UNITED STATES MAGISTRATE JUDGE  
DISTRICT OF MASSACHUSETTS

### ATTACHMENT A

Express Mail Parcel EK 076133727 US, addressed to Evangelia Gonzalez, 9 Northeast ST APT 4D, Holyoke MA 01040 and bearing a return address of Julia Gonzalez, HCOI BOX 1530, Salinas P.R. 00751 (the "Subject Parcel").

The Subject Parcel has a postage meter applied to the parcel in the amount of postage totaling **\$ 86.70** that was issued out of the Salinas P.R. Post Office on January 28, 2014.

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